

To: McGrath, Shaun[McGrath.Shaun@epa.gov]; Ostrander, David[Ostrander.David@epa.gov]; Card, Joan[Card.Joan@epa.gov]; Barry, Michael[Barry.Michael@epa.gov]
From: Jenkins, Laura Flynn
Sent: Mon 9/28/2015 11:20:22 PM
Subject: RE: Restrictions on Southern Ute Land

Just got a call from Kathi Gurule. Situation was a bit complicated but here's what she shared.

LaPlata County closed the river on August 6th and posted signs on along the river on both LaPlata County *and* Tribal lands. Southern Ute removed the sheriff's signs on August 7th and replaced them with their own signs, closing the river on Tribal lands. LaPlata County Sheriff removed the Tribal notification signs and replaced them with LaPlata County Sheriff signs. This happened several times before Tribal officials contacted the LaPlata County Sheriff, who is apparently new to his position, and informed him he didn't have jurisdiction of Tribal portions of the river.

On August 14th Southern Ute reopened the river for recreational purposes only.

On August 21st, Southern Ute lifted remaining restrictions.

There are no water use restrictions currently in place on Tribal lands. Kathi also reiterated that Southern Ute did not close any ditches because all ditches are privately owned.

She also said she did not think Ute Mountain Ute closed their portion of the river but gave me a contact person at UMU to verify, which I'm doing now.

Laura Jenkins

Media Officer

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From: McGrath, Shaun

Sent: Monday, September 28, 2015 5:00 PM

To: Jenkins, Laura Flynn; Ostrander, David; Card, Joan; Barry, Michael

Subject: RE: Restrictions on Southern Ute Land

Thanks Laura!

From: Jenkins, Laura Flynn

Sent: Monday, September 28, 2015 4:56 PM

To: McGrath, Shaun; Ostrander, David; Card, Joan; Barry, Michael

Subject: FW: Restrictions on Southern Ute Land

None of the closed ditches were on Tribal lands, all were privately held.

I've asked in a follow-up email whether any restrictions on the Animas remained after the sheriff lifted his restriction and will pass that along ASAP.

I also found this relative to San Juan County, NM:

August 15, 2015:

San Juan County, NM Office of Emergency Management

http://www.sjcounty.net/images/stories/river_released_8.15.15.pdf

(Aztec, NM) – San Juan County Executive Officer, Dr. Kim Carpenter sent a signed declaration lifting the ban on use of the Animas River. “I am very pleased to sign this declaration, having full support from the Governor’s Long-Term Impact Review Team, the U.S. Environmental Agency, and Local Officials”. The ban will be officially lifted at 8:00pm tonight.

City of Farmington, NM (amplification of San Juan County release):

<https://www.facebook.com/cityoffarmingtonnm/posts/879791902119523:0>

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From: Gurule, Kathi [<mailto:kgurule@southernute-nsn.gov>]

Sent: Monday, September 28, 2015 4:50 PM

To: Jenkins, Laura Flynn

Cc: tojohns@southernute-nsn.gov; Gurule, Kathi

Subject: Restrictions on Southern Ute Land

Ms. Jenkins,

I am the IC for the Southern Ute Indian Tribe for the Gold King Mine Incident. There are no current restrictions in place for accessing the Animas River and none of the ditches within the reservation of the effect area are the Tribes, they are all privately held.

Sincerely,

Kathi Gurule

Risk and Emergency Manager

Southern Ute Indian Tribe

PO Box 737

Ignacio, CO 81137

970-563-0100 x 2449

970-563-4853 (fax)

From: Jenkins, Laura Flynn [<mailto:Jenkins.Laura@epa.gov>]
Sent: Monday, September 28, 2015 4:04 PM
To: Johnson, Tom <tojohns@southernute-nsn.gov>
Subject: Restrictions on Southern Ute and UMU

Tom:

I received a question regarding river and irrigation ditch closures as a result of the GKM release. If you have info on any restrictions on Southern Ute and/or Ute Mountain Ute lands – and the dates those restrictions were listed – can you please send to me ASAP?

Thanks,

Laura Jenkins

Media Officer

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